

AMENDED IN ASSEMBLY MAY 22, 2014

AMENDED IN ASSEMBLY MAY 13, 2014

AMENDED IN ASSEMBLY APRIL 23, 2014

AMENDED IN ASSEMBLY MARCH 28, 2014

CALIFORNIA LEGISLATURE—2013–14 REGULAR SESSION

ASSEMBLY BILL

No. 2292

**Introduced by Assembly Member Bonta
(Coauthor: Assembly Member Skinner)**

February 21, 2014

An act to add Section 53395.3.2 to the Government Code, relating to local government.

LEGISLATIVE COUNSEL'S DIGEST

AB 2292, as amended, Bonta. Infrastructure financing districts: City of Oakland: freight rail.

Existing law authorizes an infrastructure financing district to finance only public capital facilities of communitywide significance which provide significant benefits to an area larger than the area of the district, including, among others, highways, interchanges, ramps and bridges, arterial streets, parking facilities, transit facilities, facilities for the collection and treatment of water for urban uses, child care facilities, libraries, and facilities for the transfer and disposal of solid waste.

This bill would additionally authorize an infrastructure financing district within the Oakland Army Base, the Howard Terminal, or the Coliseum City in the City of Oakland to finance public capital facilities or projects that include freight rail. This bill would require the governing board of the City of Oakland to establish a commission, as specified,

to advise the city on the safety concerns regarding development on the Howard Terminal.

This bill would make legislative findings and declarations as to the necessity of a special statute for the City of Oakland.

By imposing new duties upon the governing board of the City of Oakland, this bill would impose a state-mandated local program.

~~The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.~~

~~This bill would provide that, if the Commission on State Mandates determines that the bill contains costs mandated by the state, reimbursement for those costs shall be made pursuant to these statutory provisions.~~

The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.

This bill would provide that no reimbursement is required by this act for a specified reason.

Vote: majority. Appropriation: no. Fiscal committee: yes.

State-mandated local program: yes.

The people of the State of California do enact as follows:

1 SECTION 1. Section 53395.3.2 is added to the Government
2 Code, to read:

3 53395.3.2. (a) In addition to the projects authorized by Section
4 53395.3, any infrastructure financing district within the Oakland
5 Army Base, the Howard Terminal, or the Coliseum City in the
6 City of Oakland may finance public capital facilities or projects
7 that include freight rail.

8 (b) The governing board of the City of Oakland shall establish
9 a commission to advise the city on the safety concerns regarding
10 any development authorized by subdivision (a) on the Howard
11 Terminal. The commission shall consist of one member from each
12 of the stakeholders involved in the development of the Howard
13 Terminal, including, but not limited to, all of the following:

14 (1) A representative for the City of Oakland appointed by the
15 governing board of the City of Oakland.

1 (2) A representative for the Port of Oakland appointed by the
2 Board of Port Commissioners.

3 (3) Every owner or lessor of property located within the Howard
4 Terminal or a representative appointed by the owner or lessor.

5 SEC. 2. The Legislature finds and declares that a special law
6 is necessary and that a general law cannot be made applicable
7 within the meaning of Section 16 of Article IV of the California
8 Constitution because of the unique circumstances applicable to
9 the City of Oakland and the need for revitalization on the Oakland
10 Army Base, the Howard Terminal, and in the Coliseum City.

11 ~~SEC. 3. If the Commission on State Mandates determines that~~
12 ~~this act contains costs mandated by the state, reimbursement to~~
13 ~~local agencies and school districts for those costs shall be made~~
14 ~~pursuant to Part 7 (commencing with Section 17500) of Division~~
15 ~~4 of Title 2 of the Government Code.~~

16 *SEC. 3. No reimbursement is required by this act pursuant to*
17 *Section 6 of Article XIII B of the California Constitution because*
18 *the only costs that may be incurred by a local agency or school*
19 *district are the result of a program for which legislative authority*
20 *was requested by that local agency or school district, within the*
21 *meaning of Section 17556 of the Government Code and Section 6*
22 *of Article XIII B of the California Constitution.*